

TEMPORARY

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NO.68901-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 18 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 18 2002

The applicant **A & K EARTHMOVERS, INC.**, hereby makes application for permission to change the **Point of Diversion, Manner of Use and Place of Use of a portion** of water heretofore appropriated under **Permit No. 34710 (Certificate No. 13016)**

1. The source of water is **Underground**
2. The amount of water to be changed **10.0 ac. ft. (0.07 cfs)**
3. The water to be used for **Commercial**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Located in the NE¹/₄-NW¹/₄ of Section 16, T.16N., R.28E., M.D.B.&M. from a point that bears N 79°00'00" W a distance of 1,630.00 feet to the NW corner of said section 16.**
6. The existing permitted point of diversion is located within **Located in the NE¹/₄-NE¹/₄ of Section 3, T.18N., R.26E., M.D.B.&M. from a point that bears N 23°09'03" E a distance of 1345.25 feet to the NE corner of said section 3. (See Remarks)**
7. Proposed place of use **Sections 9, 16 & 17 of T.16N., R.28E., M.D.B.&M. a total of 1,920 acres more or less.**
8. Existing place of use **2.34 acres in the NW¹/₄-NE¹/₄ and 0.16 acres in the NE¹/₄-NE¹/₄ Section 3, T.18N., R.26E., M.D.B.&M. a total of 2.50 acres. (See Remarks)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works. **drilled well, pump, tank and piping.**
12. Estimated cost of works **\$40,000**
13. Estimated time required to construct works **1 week**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **Existing point of diversion and portion of place of use are as shown on Map to Accompany Proof of Beneficial Use under Permit No. 34710.**

By **s/Barry A. Fitzpatrick**
s/Barry A. Fitzpatrick
Barry A. Fitzpatrick, SWRS
137 Keddie Street
Fallon, Nevada 89406

Compared dl/cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 34710, Certificate 13016 is issued subject to the terms and conditions imposed in said Permit 34710, Certificate 13016 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **August 5, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.07 cubic feet per second, but not to exceed 10 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

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IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of August, A.D. 2002


State Engineer

EXPIRED
DATE AUG 05 2003